REMARKS/ARGUMENTS

Reconsideration of the application in view of the following remarks is respectfully requested.

Claims 12-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tagami et al (U.S. Patent No. 5,402,171) in view of Umemoto (U.S. Patent No. 5,838,457). Applicant respectfully traverses this rejection.

Claim 12 is directed to an electronic camera comprising inter alia an image discrimination circuit configured to judge whether the image data represents a panoramic image or not based on an aspect ratio of the image data selected from the recording medium. When the selected image data is judged as representing a panoramic image by the image discrimination circuit, a display-mode setting circuit sets a panoramic display-mode, and scrolls and displays on a display panel the selected panoramic image by controlling the display circuit in accordance with an operation of a frame-advance button.

There is no teaching or suggestion in Tagami et al. that an aspect ratio of image data is used to determine whether the image data represents a panoramic image. Nor is there any teaching or suggestion of display mode setting circuit means responsive to the display discrimination means for setting a panoramic display mode displaying on a display panel the selected panoramic image by controlling the display circuit in accordance with an operation of a frame-advance button based upon the determination made by the discrimination means. Instead, in Tagami, the panorama mode is determined by an operator operating a playback button 52 and a direction button 53 (see col. 25, lines 17-22).

This deficiency of Tagami is specifically recognized by the Examiner in the first full paragraph on page 3. The Examiner, however, contends that this limitation is shown in the teaching of Umemoto.

Umemoto however, although disclosing determination of a panoramic image based on an aspect ratio, neither discloses nor suggest that this feature be incorporated in an electronic camera as claimed in claim 12. Umemoto is directed to a printer and not a camera.

In view of the foregoing, it is respectfully submitted that neither Tagami et al., Umemoto et al. nor the combination thereof teach or suggest an electronic camera comprising inter alia an image discrimination circuit configured to judge whether the image data represents a panoramic image or not, based on an aspect ratio of the image data selected from the recording medium. Nor do they teach or suggest that when the selected image data is judged as representing a panoramic image by the image discrimination circuit, a display-mode setting circuit sets a panoramic display-mode, and scrolls and displays on a display panel the selected panoramic image by controlling the display circuit in accordance with an operation of a frame-advance button.

Further, Tagami et al. is directed to an electronic camera which although it is capable of shooting an object in a panoramic mode and reproducing a panoramic image, is not provided with an LCD panel which displays a reproduced image. The LCD panel of Tagami et al.only indicates letters or signs. In column 27, lines 34 to 45, Tagami et al. explains that when a panorama mode is selected as the shooting mode, the mark "P" is displayed on the LCD panel. Fig. 67 shows the mark "P" is displayed on the finder image display. The LCD panel of Tagami et al. does not indicate the reproduced image, but merely indicates that the panorama mode is chosen when shooting an object.

In the electronic camera of Tagami et al, a TV monitor (54) is required for viewing the reproduced image. The image reproduced by the electronic camera is output as a video signal. Unless the signal is output to a TV monitor, viewing the image is impossible. Figs. 61, 62 and 63 show the image displayed in the TV monitor.

Accordingly, it is respectfully submitted that claim 12 is clearly patentable over the combination of Tagami et al., and Umemoto et al.

Claim 13 is dependent from claim 12 and is therefore patentable for the same reasons, as well as because of the combination of features set forth in claim 13 with the features set forth in claim 12.

Claim 14, like claim12, is directed to an electronic camera comprising inter alia an image discrimination circuit configured to judge whether the image data represents a panoramic image or not, based on an aspect ratio of the image data selected from the recording medium, wherein when the selected image data is judged as representing a panoramic image by the image discrimination circuit, a display-mode setting circuit sets a panoramic display-mode. Accordingly, claim 14 is patentable over the references for the same reasons as claim12.

In addition, claim 14 claims that the display-mode setting circuit divides the selected panoramic image into a plurality of areas, and displays step by step on the display panel the divided panoramic image by controlling the display circuit, in accordance with an operation of a frame-advance button. None of the references disclose this feature. Accordingly, it is respectfully submitted that claim 14 is patentable over the references for this reason as well.

Claim 15 is dependent from claim 14 and is therefore patentable for the same reasons, as well as because of the combination of features with the features set forth in claim 14 set forth in Claim 15.

Premature Final Rejection

The Office Action states that it is a final action with new grounds of rejection necessitated by applicants' amendment, citing MEP. §706.07(a). Applicant respectfully disagrees that Applicant's amendment necessitated the new grounds of rejection.

In the previous Office Action mailed June 18, 2004, the Examiner on page 4 recognized the deficiency of Tagami in determining the panoramic image if the aspect ratio image input data is different from the aspect ratio of a display device. To this end, the Examiner cited Katayama et al. as showing this feature.

In Applicant's response to the amendment, Applicant pointed out the deficiencies of Katayama with respect to this feature. In the present Office Action, the Examiner again recognizes the deficiency of Tagami but in this case cites Umemoto as teaching the missing feature of Tagami.

Thus the deficiency of Tagami was recognized in the Office Action dated June 18, 2004. The same deficiency of Tagami is recognized in the current Office Action. The new reference Umemoto is cited to supply the deficiency of Tagami et al. How can the Examiner contend that it was Applicants' amendment that necessitated the new citation since Umemoto is cited for exactly the same reason as Katayama was cited in the previous Office Action? There was nothing in the amendments to the claims that necessitated the citation of Umemoto instead of the citation of Katayama. Applicant's previous amendment merely pointed out the deficiencies of Katayama.

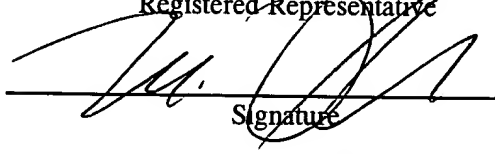
Accordingly, if the application is not allowed, Applicant respectfully requests withdrawal of the finality of the rejection.

In view of the foregoing, it is respectfully submitted that this application is now in condition for allowance, which action is respectfully requested and, if not allowed, that the final rejection be withdrawn.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 14, 2005.

Martin Pfeffer

Name of applicant, assignee or Registered Representative

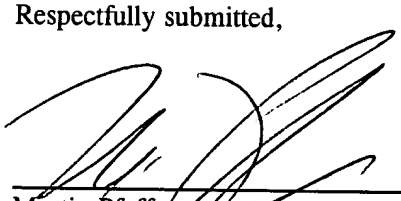


Signature

April 14, 2005

Date of Signature

Respectfully submitted,



Martin Pfeffer
Registration No.: 20,808
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

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